

Anthony L. Martin  
Nevada Bar No. 8177  
[anthony.martin@ogletreedeakins.com](mailto:anthony.martin@ogletreedeakins.com)  
Amy L. Howard  
Nevada Bar No. 13946  
[amy.howard@ogletreedeakins.com](mailto:amy.howard@ogletreedeakins.com)  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
Wells Fargo Tower, Suite 1500  
3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702.369.6800  
Fax: 702.369.6888  
*Attorneys for Defendant Dolgen Midwest, LLC dba Dollar General*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KALIAH BURNETT, an Individual,

Plaintiff,

vs.

DOLLAR GENERAL CORPORATION, a  
Foreign Corporation,

Defendant.

Case No.: 2:18-cv-00724-GMN-CWH

**STIPULATION AND ORDER TO  
STAY THE CASE AND EXTEND  
TIME FOR DEFENDANT TO  
RESPOND TO PLAINTIFF'S  
COMPLAINT  
(First Request)**

Pursuant to LR IA 6-1, LR 6-2, and 7-1, Plaintiff Kaliah Burnett ("Plaintiff") and Defendant Dolgen Midwest, LLC dba Dollar General<sup>1</sup>, ("Defendant") (collectively the "Parties"), by and through their respective counsel hereby request and stipulate to stay the above-captioned matter while the Parties discuss the possibility of early resolution.

The purpose of the Stay is to promote judicial economy and allow this Court to more effectively control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and the litigants. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (U.S. 1936) ("the

<sup>1</sup> Dolgen Midwest, LLC was improperly named as Dollar General Corporation.

1 power to stay proceedings is incidental to the power inherent in every court to control the  
2 disposition of the causes on its docket with economy of time and effort for itself, for counsel, and  
3 for litigants”); *Pate v. DePay Orthopedics, Inc.* 2012 WL 3532780, at \* 2 (D. Nev. Aug. 14, 2012)  
4 (“A trial court may, with propriety, find it is efficient for its own docket and the fairest course for  
5 the parties to enter a stay of an action before it, pending resolution of independent proceedings  
6 which bear upon the case”), citing *Leyva v. Certified Grocers of Cal., Ltd.* 593 F.2d 857, 863 (9th  
7 Cir. 1979).

8  
9 Counsel for Defendant were recently retained and made aware of the deadline to respond to  
10 Plaintiff’s Complaint. As the Parties would like to discuss the potential of early resolution, the  
11 Parties agree and stipulate that this matter be stayed for thirty-one days, up to and including June  
12 24, 2018. Should the Parties be unsuccessful, the Defendant will have up to and including  
13 July 6, 2018, to file a response to Plaintiff’s Complaint.  
14

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 This is the Parties' first request to stay and extend the time for Defendant to respond to  
2 Plaintiff's Complaint. This stipulation is made in good faith and not for purposes of causing any  
3 undue delay.

4 Dated this 29th day of May, 2018.

5 **HKM EMPLOYMENT ATTORNEYS LLP**

**OGLETREE, DEAKINS, NASH, SMOAK  
& STEWART, P.C.**

6  
7  
8 /s/ Jenny L. Foley  
9 Jenny L. Foley  
10 1785 East Sahara Avenue  
11 Suite 325  
12 Las Vegas, NV 89104  
13 Telephone: 702.625-3893  
14 *Attorneys for Plaintiff Kaliah Burnett*

/s/ Anthony L. Martin  
Anthony L. Martin  
Amy L. Howard  
3800 Howard Hughes Parkway  
Suite 1500  
Las Vegas, NV 89169  
Telephone: 702.369.6800  
*Attorneys for Defendant Dolgen Midwest, LLC  
dba Dollar General*

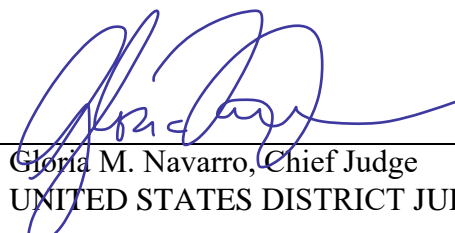
15 **ORDER**

16 **IT IS HEREBY ORDERED** that the Parties Stipulation and Order to stay the matter is  
17 granted.

18 **IT IS FURTHER ORDERED** that the time for Defendant to file a response to Plaintiff's  
19 Complaint is hereby extended to July 6, 2018.

20  
21 **IT IS SO ORDERED.**

22 DATED this 14 day of June, 2018.

23   
24 Gloria M. Navarro, Chief Judge  
25 UNITED STATES DISTRICT JUDGE

26  
27  
28 34223935.1